

Opinion
December 8, 1955

Attorney General's

Richard C. Duncan

Licensure of Boarding Homes

Mr. James J. Barry, Commissioner
Department of Public Welfare
State House Annex
Concord, New Hampshire

NEW HAMPSHIRE LAW LIBRARY

SEP 22 1998

CONCORD, N.H.

Dear Mr. Barry:

You have inquired by your letter of December 7, 1955 for my opinion whether the department is responsible for the licensing of boarding homes which provide nothing but board and room facilities for the occupants. In my opinion, the answer to your question is "No."

RSA 161:2, IV, imposes the duty upon the Department of Public Welfare to supervise and license "private boarding homes providing assistance, care, or other direct services to children who are neglected, delinquent, defective, or dependent, as well as to the aged, blind, feeble-minded and other dependent persons." It will be observed from this language that the duty is imposed only where assistance, care or other direct services are provided by the home. Providing merely board and room facilities is not, in my opinion, direct services within the meaning of the above section.

Very truly yours,

Richard C. Duncan
Assistant Attorney General

RCD:L